UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/881,040	06/15/2001	Colin I' Anson	1509-188	5161

22429 7590 11/14/2007

LOWE HAUPTMAN HAM & BERNER, LLP
1700 DIAGONAL ROAD
SUITE 300
ALEXANDRIA, VA 22314

EXAMINER	
ELAHEE, MD S	

ART UNIT	PAPER NUMBER
2614	

MAIL DATE	DELIVERY MODE
11/14/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	09/881,040	I' ANSON ET AL.	
	Examiner	Art Unit	
	Md S. Elahee	2614	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *01/11/2007*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,7-11 and 13-42* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,7-11 and 13-42* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1. This action is responsive to an amendment filed on 11/23/2005. Claims 1, 7-11 and 13-42 are pending. Claims 2-6, 12 and 43 have been previously cancelled.

Response to Arguments

2. Applicant's arguments filed in the 11/23/2005 Remarks with respect to claims 28-42 have been fully considered but are moot in view of the new ground(s) of rejection which is deemed appropriate to address all of the limitations at this time.

3. Applicant's arguments filed in the 11/23/2005 Remarks with respect to claims 1, 7-11 and 13-27 Remarks have been fully considered but they are not persuasive because of the following:

Regarding claims 1 and 18, the applicant argues on pages 13-14 that the combination of Valentine and Tarbox do not teach that the "particular service" is provided as a consequence of an earlier transaction; the service is not itself the transaction. Examiner respectfully disagrees with the argument. In order to receive a service a mobile user must have to pay for the service to his service provider. Therefore, it is inherent for Valentine. The only missing element is conducting a transaction of a user purchasing a service or product. Tarbox teaches this limitation (see. col.3, lines 19-23, col.5, lines 16-29). Thus the examiner maintains the rejection of the claims in view of Valentine and Tarbox.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5. The factual inquiries set forth in *Graham* **v.** *John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

6. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

7. Claims 1, 8-11, 13, 14, 16-19 and 23-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Valentine et al. (U.S. Patent No. 6,011,973) in view of Tarbox (U.S. Patent No. 5,705,798).

Regarding claim 1, with respect to Figures 1-3, Valentine teaches a service delivery method comprising the steps of:

qualifying the user as authorized to benefit from a particular location-triggered service (col.1, lines 54-67, col.2, lines 1-14, line 45- col.3, line 20).

Valentine teaches location data indicative of at least one location where service delivery is to be triggered (col.1, lines 54-67, col.2, lines 1-14, line 45- col.3, line 20).

Valentine further teaches subsequently detecting a location match between the location of the user, as indicated by the location of a mobile entity associated with the user, and a location indicated by the location data (col.1, lines 54-67, col.2, lines 1-14, line 45- col.3, line 20).

However, it is not clear whether Valentine teaches "conducting a transaction of a user purchasing a service or product". Tarbox teaches conducting a transaction of a user purchasing a service or product (fig.4; col.3, lines 19-23, col.5, lines 16-29). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Valentine to incorporate the feature of conducting a transaction of a user purchasing a service or product as taught by Tarbox. The motivation for the modification is to do so in order to perform more electronic transaction of product such that a user can make a transaction in a particular area whenever he needs.

Valentine further does not specifically teach "a user-associated instance of executable program, for implementing the particular service, the program instance being customized for said transaction and distinct from the location data" and "initiating execution of the user-associated program instance to deliver the particular service to the user". Tarbox teaches a user-associated instance of executable program, for implementing the particular service, the program instance

being customized for the transaction and distinct from the location data and initiating execution of the user-associated program instance to deliver the particular service to the user (fig.4; col.3, lines 19-23, col.5, lines 16-29). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Valentine to incorporate a user-associated instance of executable program, for implementing the particular service, the program instance being customized for said transaction and distinct from the location data as well as initiating execution of the user-associated program instance to deliver the particular service to the user as taught by Tarbox. The motivation for the modification is to do so in order to conduct one or more electronic transaction of product such that a user can enjoy making transaction in a particular place he is authorized without having any inconvenience.

Regarding claim 8, Valentine does not specifically teach "the user-associated program-code instance is a customization of a generic program for implementing the service". Tarbox teaches that the user-associated program-code instance is a customization of a generic program for implementing the service (col.3, lines 19-23, col.5, lines 16-29). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Valentine to incorporate the user-associated program-code instance being a customization of a generic program for implementing the service as taught by Tarbox. The motivation for the modification is to have doing so in order to provide customized display features to a user.

Regarding claim 9, Valentine teaches that service delivery is conditional upon the user downloading a location information [i.e., inputting a personal identification code] (col.1, lines 54-67, col.2, lines 1-14, line 45- col.3, line 3).

Regarding claim 10, Valentine teaches that the message [i.e., service] delivery only continues whilst the user's current location matches with a location indicated by the location data (col.1, lines 54-67, col.2, lines 1-14, 45- 60).

Regarding claim 11, Valentine teaches that once initiated, service delivery is continued until completion (col.1, lines 54-67, col.2, lines 1-14, col.3, lines 21-40).

Regarding claim 13, Valentine teaches that the location data is indicative of multiple locations (col.3, lines 4-40).

Regarding claim 14, Valentine does not specifically teach "the user-associated program-code instance is a customization of a generic program for implementing the service". Tarbox teaches that multiple user-associated program instances associated with different services instances to be delivered to the same user, are stored in a memory [i.e., common repository] (fig.4; col.3, lines 19-23, col.5, lines 16-29). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Valentine to incorporate multiple user-associated program instances associated with different services instances to be delivered to the same user, are stored in a common repository as taught by Tarbox. The motivation for the

modification is to have doing so in order to provide a storage for different programming instructions.

Regarding claim 16, Valentine teaches that the current user location is provided to the entity carrying out location matching in step (b) by a trusted location service provider and is inherently digitally-signed by the latter (col.2, line 45- col.3, line 20).

Regarding claim 17, Valentine teaches that the updating program [i.e., user-associated program instance] specifies a particular number of times (including only once) that the updating program can be run (col.2, line 45- col.3, line 49). (Note; periodic location update with the period is set by the base station, it is inherent that updating program can be run only once.)

Claim 18 is rejected for the same reasons as discussed above with respect to claim 1. Furthermore, Valentine teaches a memory 150 [i.e., location-data repository] (fig.1);

Valentine further teaches a database 190 [i.e., service repository] (fig.1; col.3, lines 9-13);

Valentine further teaches a base station 180 [i.e., service factory] (fig.1);

Valentine further teaches a cellular telephone network 170 [i.e., qualification subsystem] to benefit from a particular location-triggered service, the cellular telephone network being arranged, upon determining that the user is so qualified, both to store in the memory location data indicative of at least one location where service delivery is to be triggered, and also to create in the base station (fig.1; col.1, lines 54-67, col.2, lines 1-14, line 45- col.3, line 20);

Valentine further teaches a service execution environment for executing updating program [i.e., user-associated program instances] (col.1, lines 54-67, col.2, lines 1-14, line 45- col.3, line 3);

Valentine further teaches a location-match subsystem for detecting a location match between the location of the user, as indicated by the location of a mobile entity associated with the user, and a location indicated by the location data (col.1, lines 54-67, col.2, lines 1-14, line 45- col.3, line 20).

Regarding claim 19, Valentine teaches that the memory [i.e., location repository] is incorporated in the mobile entity associated with the user (fig.1; col.2, lines 45- 60).

Regarding claim 23, Valentine teaches that the updating program [i.e., user-associated program instance] is stored in the mobile entity, the detection of a location match in step (b) resulting in the location information [i.e., program instance] being executed at the mobile entity (col.2, line 45- col.3, line 49).

Regarding claim 24, Valentine teaches that the updating program [i.e., user-associated program instance] is stored in the mobile entity, the detection of a location match in step (b) resulting in the location information [i.e., program-code instance] being passed from the mobile entity to a service provider system where it is executed (col.2, line 45- col.3, line 49).

Regarding claim 25, Valentine teaches that the updating program [i.e., user-associated program-code instance] is stored in the service provider system, the detection of a location match in step (b) resulting in the program-code instance being inherently executed by the service provider system (col.2, line 45- col.3, line 49).

Regarding claim 26, Valentine teaches that the updating program [i.e., user-associated program instance] and the location data are stored in the same entity (col.2, line 45- col.3, line 49).

Regarding claim 27, Valentine teaches that the updating program [i.e., user-associated program instance] and the location data are stored in the different entities, the location data having associated data enabling the entity storing the program instance to be informed when a location match is detected in step (b) (col.2, line 45- col.3, line 49).

8. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Valentine et al. in view of Tarbox further in view of Eldridge et al. (U.S. Patent No. 6,601,102).

Regarding claim 7, Valentine teaches that the program (i.e., user-associated program instance) includes user identity data and is digitally-signed by the party that carried out the qualification step (a) whereby the service provider system can check the authenticity of the data in the program (abstract; fig.3; page 4, lines 14-20, page 10, lines 6-14, 23, 24).

However, Valentine in view of Tarbox does not specifically teach "the user mobile entity having an associated key pair, formed by a public-key and a private key, and being required by the service provider system to authenticate its identity by using its private key to sign and return data proposed by the service provider system". Eldridge teaches that the user mobile entity having an associated key pair, formed by a public-key and a private key, and being required by the server (i.e., service provider system) to authenticate its identity by using its private key to sign and return data proposed by the server (fig.1, 2; col.4, lines 9-15, 42-67, col.5, lines 1-8, col.7, lines 5-29, 48-51, 56-67, col.8, lines 1-25). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Valentine in view of Tarbox to incorporate the user mobile entity having an associated key pair, formed by a public-key and a private key, and being required by the service provider system to authenticate its identity by using its private key to sign and return data proposed by the service provider system as taught by Eldridge. The motivation for the modification is to do so in order to perform secure token-based document transaction services using key pair.

9. Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Valentine et al. in view of Tarbox further in view of Okamoto et al. (U.S. Pub. No. 2004/0128257).

Regarding claim 15, Valentine in view of Tarbox does not specifically teach that the user-associated program instance is passed by the party that carries out the qualification step to the user or to a third-party, the program instance being digitally signed by the party that carries out the qualification step whereby to enable an eventual service deliverer to check the origin and

authenticity of the user-associated program instance. Okamoto teaches that the token [i.e., user-associated program instance] is passed by the party that carries out the qualification step to the user or to a third-party, the program instance being digitally signed by the party that carries out the qualification step whereby to enable an eventual service deliverer to check the origin and authenticity of the token (abstract; fig.7; page 4, paragraphs 0048, 0049, page 7, paragraph 0108, page 8, paragraphs 0134-0136, 0139, 0142). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Valentine in view of Tarbox to incorporate the user-associated program instance is passed by the party that carries out the qualification step to the user or to a third-party, the program instance being digitally signed by the party that carries out the qualification step whereby to enable an eventual service deliverer to check the origin and authenticity of the user-associated program instance as taught by Okamoto. The motivation for the modification is to do so in order to perform secure transaction associated with a user.

10. Claims 20 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Valentine et al. in view of Tarbox further in view of Suzuki (U.S. Patent No. 6,129,274).

Regarding claim 20, Valentine in view of Tarbox fails to teach "the service repository is incorporated in the mobile entity associated with the user". Tarbox teaches that the transaction history storage area 86 [i.e., service repository] is incorporated in the personal digital shopping assistant 10 [i.e., mobile entity] associated with the user (abstract; fig.1, 2; col.7, lines 58-67, col.8, lines 1-14, 54-61, col.10, lines 19-26, col.11, lines 3-19). Thus, it would have been obvious

to one of ordinary skill in the art at the time the invention was made to modify Valentine in view of Tarbox to allow the service repository being incorporated in the mobile entity associated with the user as taught by Tarbox. The motivation for the modification is to do so in order to store a shopping transaction history data.

Regarding claim 21, Valentine teaches that the message [i.e., service] execution environment is incorporated in the mobile entity associated with the user (col.1, lines 54-67, col.2, lines 1-14, line 45- col.3, line 3).

11. Claim 22 is rejected under 35 U.S.C. 103(a) as being unpatentable over Valentine et al. in view of Tarbox further in view of Suzuki further in view of Okamoto et al. (U.S. Pub. No. 2004/0128257).

Claim 22 is rejected for the same reasons as discussed above with respect to claim 15. Furthermore, Valentine teaches that the service execution environment is separate from the mobile entity but can inter-communicate with the latter via a wireless infrastructure at least when the mobile entity is positioned to give rise to a location match (col.1, lines 54-67, col.2, lines 1-14, line 45- col.3, line 20).

12. Claims 28, 29, 31 and 33-38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant's Admitted Prior Art in view of Valentine et al. (U.S. Patent No. 6,011,973).

Regarding claim 28, with respect to Figures 1-5, Applicant's Admitted Prior Art teaches service delivery method comprising:

(a) qualifying a user as authorized to benefit from a particular location-triggered service (page 8, lines 1-6), and thereafter storing:

location data indicative of at least one location where service delivery is to be triggered (page 7, lines 28-32),

and

a service token provided by a party that qualified the user to benefit from said particular service, the service token being distinct from said location data and indicative of the qualified user's entitlement to benefit from said particular service, the service token including a service identifier identifying said particular service and a qualifying-party indicator indicative of the party that qualified the user, the service token being stored in a mobile entity associated with the user (page 8, lines 1-6); and

Applicant's Admitted Prior Art further teaches (b) subsequently detecting a location of the user and in response to the location determination being detected passing the service token from the mobile entity to service provider system where the service provider system uses the qualifying-part indicator to check that the service token originates from a party for which it is willing to provide service delivery before initiating delivery to the user of said particular service as identified by said service identifier (page 7, lines 28-32, page 8, lines 1-6).

However, Applicant's Admitted Prior Art does not specifically teach subsequently detecting a location match between the location of the user, as indicated by the location of said mobile entity, and a location indicated by said location data, and in response to the location match being detected passing the service token. Valentine teaches subsequently detecting a location match between the location of the user, as indicated by the location of said mobile entity, and a location indicated by said location data, and in response to the location match being detected passing the service authorization [i.e., service token] (col.1, lines 54-67, col.2, lines 1-14, line 45- col.3, line 20). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Applicant's Admitted Prior Art to incorporate the feature of subsequently detecting a location match between the location of the user, as indicated by the location of said mobile entity, and a location indicated by said location data, and in response to the location match being detected passing the service token as taught by Valentine. The motivation for the modification is to do so in order to provide a user an authorization for service in a particular area such that the user can get benefit out of the service.

Regarding claim 29, Applicant's Admitted Prior Art teaches that the service token includes communication address details of the service provider system (page 8, lines 1-6).

Regarding claim 31, Applicant's Admitted Prior Art teaches that the service token includes both a service identifier and a user identifier, step (b) including a sub-step of the service provider system checking the identity of the user of the mobile entity against the user identity in the service token (page 8, lines 1-6).

Claim 33 is rejected for the same reasons as discussed above with respect to claim 9.

Regarding claim 34, Applicant's Admitted Prior Art teaches that the service token is digitally-signed by the party that carries out the qualification in step (a) whereby the service provider system using this digital signing of the service token to check the origin and authenticity of the service token (page 8, lines 1-6).

Claim 35 is rejected for the same reasons as discussed above with respect to claim 28. Furthermore, Applicant's Admitted Prior Art teaches the location server of a cellular telephone communications infrastructure usable by the mobile entity (fig.5).

Regarding claim 36, Applicant's Admitted Prior Art teaches that the location data is indicative of multiple locations (page 6, lines 7-10).

Regarding claim 37, Applicant's Admitted Prior Art teaches wherein multiple service tokens associated with different services to be delivered to the same user, are stored in a common repository (page 6, lines 7-16).

Regarding claim 38, Applicant's Admitted Prior Art teaches wherein said service token specifies a particular number of times (including only once) that the associated service can be provided (page 6, lines 10-16, page 8, lines 1-6).

13. Claim 30 is rejected under 35 U.S.C. 103(a) as being unpatentable over Admitted Prior Art in view of Valentine et al. further in view of Norris (U.S. Patent No. 6,718,328).

Regarding claim 30, Admitted Prior Art in view of Valentine does not specifically teach "the service token includes a password for accessing the service provider system". Norris teaches that the service token includes a password for accessing the server (i.e., service provider system) (col.5, lines 34-47). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Admitted Prior Art in view of Valentine to incorporate the service token including a password for accessing the service provider system as taught by Norris. The motivation for the modification is to do so in order to perform secure media file transaction services using password based token.

14. Claim 32 is rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant's Admitted Prior Art in view of Valentine et al. further in view of Okamoto et al. (U.S. Pub. No. 2004/0128257).

Claim 32 is rejected for the same reasons as discussed above with respect to claim 28. Furthermore, Applicant's Admitted Prior Art teaches that the service token includes user identity data and is digitally-signed by the party that carried out the qualification in step (a) whereby the service provider system can check the authenticity of the data in the location information (page 8, lines 1-6).

However, Applicant's Admitted Prior Art in view of Valentine fails to teach the service token having an associated key pair, formed by a public-key and a private key, and being required by the service provider system to authenticate its identity by using its private key to sign and return data proposed by the service provider system. Okamoto teaches the service token having an associated key pair, formed by a public-key and a private key, and being required by the service provider system to authenticate its identity by using its private key to sign and return data proposed by the service provider system (abstract; fig.7; page 4, paragraphs 0048, 0049, page 7, paragraph 0108, page 8, paragraphs 0134-0136, 0139, 0142). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Applicant's Admitted Prior Art in view of Valentine to incorporate the feature of the service token having an associated key pair, formed by a public-key and a private key, and being required by the service provider system to authenticate its identity by using its private key to sign and return data proposed by the service provider system the user mobile entity that passes the service token to the service provider system as taught by Okamoto. The motivation for the modification is to do so in order to perform secure token-based document transaction services.

15. Claims 39-42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant's Admitted Prior Art in view of Valentine et al. further in view of Tarbox (U.S. Patent No. 5,705,798).

Regarding claims 39 and 42, Admitted Prior Art in view of Valentine does not specifically teach "the user-associated program-code instance is a customization of a generic program for

implementing the service". Tarbox teaches that the user-associated program-code instance is a customization of a generic program for implementing the service (col.3, lines 19-23, col.5, lines 16-29). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Admitted Prior Art in view of Valentine to incorporate the user-associated program-code instance being a customization of a generic program for implementing the service as taught by Tarbox. The motivation for the modification is to do so in order to provide customized display features to a user.

Claim 40 is rejected for the same reasons as discussed above with respect to claim 28. Furthermore, Applicant's Admitted Prior Art teaches a location-data repository (fig.5); Applicant's Admitted Prior Art further teaches a service repository (fig.5); Applicant's Admitted Prior Art further teaches a service factory (fig.5);

Applicant's Admitted Prior Art further teaches that a service delivery subsystem for providing the particular service, the service delivery subsystem being separate from the mobile entity (fig.5; page 8, lines 1-6).

However, Applicant's Admitted Prior Art in view of Valentine does not specifically teach a control arrangement responsive to the location-match subsystem detecting a location match to initiate execution of the user-associated program instance to deliver the particular service to the user. Tarbox teaches a control arrangement responsive to the location-match subsystem detecting a location match to initiate execution of the updating program [i.e., user-associated program instance] to deliver the particular service to the user (fig.4; col.3, lines 19-23, col.5, lines 16-29). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was

made to modify Applicant's Admitted Prior Art in view of Valentine to incorporate the feature of a control arrangement responsive to the location-match subsystem detecting a location match to initiate execution of the user-associated program instance to deliver the particular service to the user as taught by Tarbox. The motivation for the modification is to do so in order to provide a user a particular service such that the user can get enjoy the benefit out of the service.

Claim 41 is rejected for the same reasons as discussed above with respect to claim 19.

Conclusion

16. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Johansson et al. (US 6,442,391) teach Location security for a subscriber unit in a telecommunication system by denying a parties' location request.

17. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Md S. Elahee whose telephone number is (571) 272-7536. The examiner can normally be reached on Mon to Fri from 8:30am to 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (571) 272-7547. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Md. Shafiul Alam Elahee

MD SHAFIUL ALAM ELAHEE
Examiner
Art Unit 2614
November 1, 2007